IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

WP(C).No. 34097 of 2006(H)

PETITIONERS:

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1. A.G.NARAYANAN C.21,
   AGED 57 YEARS, ARAKAPARAMBIL HOUSE,
   PIZHALA, KOCHI, ANIT MOSQUITO MAZDOOR,
   KOCHIN CORPORATION.

2. M.S.SASIDHARAN, AGED 57 YEARS,
   S/O.SEKHARAN, MANGALATH HOUSE, MULAVUKADU P.O.,
   ERNAKULAM, DO. DO.

3. GOPALAN K.K.,
   AGED 57 YEARS, MANACKALTHUNDIYIL,
   KUZHIVELIPADY P.O., EDATHALA, ALUVA,
   DO. DO.

BY ADV. SMT.T.B.MINI

RESPONDENTS:

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1. THE DIRECTOR,
   LOCAL AFFAIRS DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. KOCHI CORPORATION,
   REP. BY ITS SECRETARY,
   KOCHI CORPORATION OFFICER.

ADDL. R3 IMPLEADED.

3. STATE OF KERALA, REPRESENTED BY
   SECRETARY TO GOVERNMENT,
   LOCAL SELF GOVERNMENT DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

ADDL. R3 IS SUO MOTU IMPLEADED AS PER JUDGMENT DATED 22.2.2007.

R1 & ADDL. R3 BY GOVT. PLEADER SRI. BEJOY CHANDRAN.
R2 BY SC SRI. S. RAMESH BABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.34097 OF 2006

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Dated this the 22nd day of February, 2007

JUDGMENT

The prayers in the writ petition are as follows:

(i) Issue a writ of mandamus or any other writ or direction directing the respondents to consider the provisional service of the petitioners before 1.10.1994 for pensionary benefits.

(ii) Issue writ of mandamus or any other writ or direction directing the respondents to consider Ext.P4 representation.

2. It is pointed out by the learned Government Pleader however that consideration of Ext.P4 may not produce the results and if at all an effective decision has to be taken, it can be taken only by the Government.

3. State of Kerala, represented by Secretary to Government, Local Self Government Department, Secretariat, Thiruvananthapuram is suo motu impleaded as additional third respondent. Government Pleader appears for the additional third respondent.

In such circumstances the writ petition is disposed of directing

that if the petitioners file representation within a period of one month from today before the additional third respondent, a decision will be taken by the additional third respondent thereon in accordance with law within a period of six weeks from the date of receipt of the representation. I leave open the contentions of the petitioners.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.